

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GS HOLISTIC, LLC,

Plaintiff,

v.

MD PRO INC., et al.,

Defendants.

CASE NO. C23-1777JLR

ORDER

Before the court is Plaintiff GS Holistic, LLC's ("GS Holistic") motion for a 60-day extension of time to perfect service on Defendants MD PRO Inc., Walid Hassan, and Dianna Elmoussa (together, "Defendants"). (Mot. (Dkt. # 5).) Because none of the Defendants have appeared in this action, the court exercises its discretion under Federal Rule of Civil Procedure 1 to decide this motion before the March 1, 2024 noting date. Fed. R. Civ. P. 1 (directing courts to construe the Federal Rules of Civil Procedure "to secure the just, speedy, and inexpensive determination of every action and proceeding").

1 The court has reviewed GS Holistic's motion, the relevant portions of the record, and the  
2 governing law. Being fully advised, the court GRANTS GS Holistic's motion.

3 Federal Rule of Civil Procedure 4 requires a plaintiff to serve the defendant with a  
4 summons and a copy of the complaint and sets forth the specific requirements for doing  
5 so. *See* Fed. R. Civ. P. 4. Rule 4(m), which provides the timeframe in which service  
6 must be effectuated, states in relevant part:

7 If a defendant is not served within 90 days after the complaint is filed, the  
8 court—on motion or on its own after notice to the plaintiff—must dismiss  
9 the action without prejudice against that defendant or order that service be  
made within a specified time. But if the plaintiff shows good cause for the  
failure, the court must extend the time for service for an appropriate period.

10 *Id.*

11 GS Holistic filed this action on November 20, 2023. (Compl. (Dkt. # 1).) As a  
12 result, Rule 4(m)'s 90-day deadline for effectuating service of process expired on  
13 February 18, 2024. Fed. R. Civ. P. 4(m).

14 GS Holistic represents that between December 7, 2023, and February 14, 2024, its  
15 process servers made a dozen unsuccessful attempts to serve Defendants at multiple  
16 addresses. (Mot. at 2; *see also id.*, Ex. A (affidavits of non-service).) As a result, GS  
17 Holistic requests a 60-day extension of the service deadline so that it can continue its  
18 efforts to perfect service. (*Id.*)

19 The court concludes that GS Holistic has established good cause for an extension  
20 of the deadline to serve Defendants. Accordingly, the court GRANTS GS Holistic's

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1 motion (Dkt. # 5). GS Holistic shall file proof of proper service on Defendants by no  
2 later than **April 18, 2024**.

3 Dated this 22nd day of February, 2024.

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6 JAMES L. ROBART  
7 United States District Judge  
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